

**United States Department of the Interior
Bureau of Land Management**

**Decision Record
Categorical Exclusion Not Established By Statute
DOI-BLM-UT-W020-2015-0012-CX**

July 2015

Hampton Creek Drainage Repair

Location: Salt Lake Meridian
T. 18 S., R. 19 W., sections 7 & 8
T. 18 S., R. 20 W., section 12, NE $\frac{1}{4}$, S $\frac{1}{2}$

Applicant/Address: Millard County Road Department
1000 North 1000 West
Delta, UT 84624

Fillmore Field Office
95 East 500 North
Fillmore, Utah 84631
Phone: (435) 743-3100
Fax: (435) 743-3135



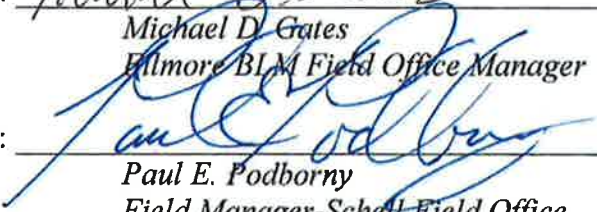
DECISION RECORD
Categorical Exclusion
DOI-BLM-UT-W020-2015-0012-CX
Hampton Creek Drainage Repair

Decision Statement:

Based on a review of Categorical Exclusion (CX) DOI-BLM-W020-2015-0012-CX and field office staff recommendations, I have determined that the emergency stabilization project is in conformance with the Warm Springs Resource Area Resource Management Plan, the House Range Resource Area Resource Management Plan, and the Ely District Resource Management Plan and is categorically excluded from further environmental analysis. Diverting water back into the original drainage and restoring the original channel would have a positive impact on public health and safety by keeping the Gandy Road from being washed out by future flooding. This would keep the road safe for the traveling public and provide safe access for residents. There are no negative environmental effects from the proposed activities and the lands would not be rendered any less suitable for other long-term alternative uses. If the drainage is not repaired, there could be negative environmental effects from future flood events, erosion, and damage to roads and residences. It is my decision to approve the proposed emergency stabilization project with the Special Stipulations contained in Attachment A to this document.

This CX is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

Authorizing Official:  Date: 7/29/2015
Michael D. Gates
Elmore BLM Field Office Manager

Authorizing Official:  Date: 7/29/2015
Paul E. Podborny
Field Manager-Schell Field Office

Attachment:

Attachment A – Special Stipulations

Attachment A Special Stipulations

Hampton Creek Drainage Repair Emergency Stabilization Project July 28, 2015

1. The County shall restore drainages, to the greatest extent possible, to the original bank configuration, stream bottom width, and channel gradient.
2. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of four inches deep, the soil shall be deemed too wet to adequately support construction equipment.
3. Prior to entering BLM land, all construction equipment and vehicles will be cleaned of soils, seeds, vegetative matter, or other debris that could contain or hold noxious seeds. The Millard County Road Department (County) shall clean all vehicles and equipment using a pressure washer prior to entering the work site on public lands. If a noxious weed infestation occurs, the County will be responsible for control measures as directed by the Authorized Officer.
4. The County shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) And the regulations of the Secretary of Interior issued pursuant thereto.
5. The County shall be responsible to acquire any additional permits or authorizations required by other Federal, State, and local agencies.
6. If any sensitive species are discovered during construction or maintenance activities, all activities that may affect this resource will cease and notification will be made to the Authorized Officer.
7. The County shall observe all Federal, State, and local laws and regulations applicable to the premises and shall keep the premises in a neat, orderly, and sanitary condition.
8. The Hampton Creek original drainage and channel shall be kept free of trash, litter, discarded materials, and debris which are generated as a result of the County's activities. The project area shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, pipe, oil, oil drums, grease, petroleum products, ashes, concrete, construction materials, and equipment.
9. The County will not perform maintenance on vehicles on public land, unless it is an emergency, in which case, containment material must be put under the vehicle.
10. The County shall locate, handle, and store gas, diesel fuel, oil, lubricants, and other petroleum

products in such a manner as to prevent them from entering into and contaminating soils on the public land.

11. This emergency stabilization project is authorized subject to all valid existing rights including authorized rights-of-way that may be located adjacent to or which may be affected by the construction, operation, and termination of this project. Any existing facilities which may be damaged during operation, maintenance, or termination of this project will be repaired or restored to the same condition as existed prior to the damage. Any costs for such damage or repair shall be the total responsibility of the County. The County must also coordinate the proposed project with affected non-federal landowners.
12. The County shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
13. Standard fire prevention stipulations would apply. During construction or maintenance, the County would notify the BLM of any fires and would comply with all rules and regulations administered by the BLM concerning the use, prevention, and suppression of fires on federal lands. In the event of a fire, the County or its contractors would initiate fire suppression actions in the work area. Suppression would continue until the fire is out or until the crews are relieved by an authorized representative of the BLM.

In the event of a fire, personal safety will be the first priority of the County or its contractors. The County or its contractors will:

- a. Operate all internal and external combustion engines on federally managed lands per 36 CFR 261.52, which requires all such engines to be equipped with a qualified spark arrester that is maintained and not modified.
- b. Initiate fire suppression actions in the work area to prevent fire spread to or on federally administered lands.
- c. Carry shovels, water, and fire extinguishers that are rated at a minimum as ABC - 10 pound on all equipment and vehicles. If a fire spreads beyond the suppression capability of workers with these tools, all will cease fire suppression action and leave the area immediately via pre-identified escape routes.
- d. When welding, grinding, cutting or conducting other similar, spark-producing work,

choose an area large enough to contain the sparks that is naturally free of all flammable vegetation or remove the flammable vegetation in a manner compliant with the permitted activity. If adequate clearance cannot be made, wet an area large enough to contain all sparks prior to the activity and periodically throughout the activity to reduce the risk of wildfire ignition. Regardless of clearance, maintain readiness to respond to an ignition at all times.

- e. Notify either the Richfield Interagency Fire Center (435) 896-8404 or the Ely Interagency Dispatch Center (775) 289-1925 (or 911) immediately of the location and status of any escaped fire. Construction personnel will be trained in basic fire control procedures.
14. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the County, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. County shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The County will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the County.
15. The County shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the County(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the permit area or on facilities authorized under this permit. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.